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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/564,461	Werner Weiershausen	2133.096USU

INTERNATIONAL APPLICATION NO.
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PCT/EP04/09848

I.A. FILING DATE	PRIORITY DATE
09/03/2004	09/04/2003

27623  
 OHLANDT, GREELEY, RUGGIERO & PERLE, LLP  
 ONE LANDMARK SQUARE, 10TH FLOOR  
 STAMFORD, CT 06901

**RECEIVED**

JUN 15 2006

OHLANDT, GREELEY,  
 RUGGIERO & PERLE, LLP

Date Mailed: 06/12/2006

CONFIRMATION NO. 8972

371 FORMALITIES LETTER



\*OC000000019220728\*

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/12/2006
- Copy of the International Search Report filed on 01/12/2006
- Copy of IPE Report filed on 01/12/2006
- Information Disclosure Statements filed on 01/12/2006
- U.S. Basic National Fees filed on 01/12/2006
- Priority Documents filed on 01/12/2006
- Specification filed on 01/12/2006
- Claims filed on 01/12/2006
- Abstracts filed on 01/12/2006
- Drawings filed on 01/12/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

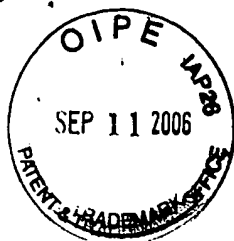
KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/564,461	PCT/EP04/09848	2133.096USU

PCT



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Weiershausen et al.

Serial No.: 10/564,461

Filed: January 12, 2006

For: PROCESSES AND DEVICES FOR THE DETERMINATION OF A  
PMD-INDUCED OUTAGE PROBABILITY OF AN OPTICAL  
TRANSMISSION SYSTEM

Art Unit: Not Yet Assignemd

Examiner: Not Yet Assigned

Confirmation No.: Not Yet Assigned

Customer No.: 27623 Attorney Docket No.: 2133.096USU

**Mail Stop Missing Parts  
COMMISSIONER FOR PATENTS  
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Alexandria, VA 22313-1450**

Dear Sir:

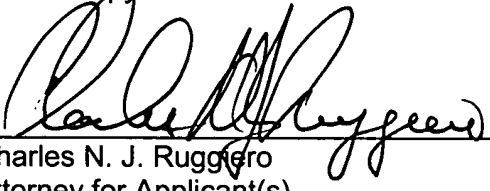
**TRANSMITTAL OF MISSING PARTS OF APPLICATION AND  
PAYMENT OF SURCHARGE UNDER 37 C.F.R. §1.16(e)**

Transmitted herewith are the following documents pertaining to the above-identified application:

- ☒ Declaration and Power of Attorney executed by Werner Weiershausen, Arnold Mattheus, Ralph Leppla, Yutaka Miyamoto, Akira Hirano and Yoshiaki Kisaka;
- ☐ The undersigned attorney has verified that the above-identified applicant is entitled to Small Entity Status.;
- ☐ \_\_\_\_\_ Sheets of Replacement Drawings;
- ☒ An Assignment of the Invention to: **Deutsche Telekom AG and Nippon Telegraph and Telephone Corporation**, including \$40.00 recordation fee and Assignment Recordation Cover Sheet;
- ☐ A Certified Copy of the Priority Application;
- ☐ Information Disclosure Statement (Form - 1449); and

- X A copy of the Notice to File Missing Parts of Application Filing Date Granted.
- X Petition and Fee for Extension of Time (37 CFR 1.136(A)).
- X A check in the amount of \$ **290.00** is enclosed (\$**130.00** to cover the surcharge; \$**40.00** for recordation of assignment; and \$**120.00** extension of time fee);
- X The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to **Deposit Account No. 01-0467**. A duplicate copy of this Form is enclosed.

September 7, 2006  
Date

  
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CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP MISSING PARTS, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, on September 7, 2006.

Ruth J. Olivo  
NAME.

  
SIGNATURE

September 7, 2006  
DATE

09/15/2006 GFREY1 00000115 10564461

01 FC:1617

130.00 OP